LIBRARY
SUPREME COURT, U. S.

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1959

JULIUS [illegible], PETITIONER

v.

UNITED STATES OF AMERICA

EUGENE BROWN, PETITIONER

v.

UNITED STATES OF AMERICA

ON PETITIONS FOR WRITS OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

MEMORANDUM FOR THE UNITED STATES IN OPPOSITION

[illegible]

# In the Supreme Court of the United States

OCTOBER TERM, 1970

---

No. 439

JAMES TESTA, PETITIONER

*v.*

UNITED STATES OF AMERICA

---

No. 447

EUGENE RIGGIO, PETITIONER

*v.*

UNITED STATES OF AMERICA

---

*ON PETITIONS FOR WRITS OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT*

---

## MEMORANDUM FOR THE UNITED STATES IN OPPOSITION

---

After a jury trial in the United States District Court for the Eastern District of New York, petitioners were convicted with others of possession of

goods stolen from an interstate shipment, in violation of 18 U.S.C. 659. The court of appeals affirmed (Pet. App.).

Petitioners' contentions are carefully considered and answered in the opinion below, on which we rely. See Pet. App. 10-13 (No. 439).

It is therefore respectfully submitted that the petitions for writs of certiorari should be denied.

ERWIN N. GRISWOLD,
*Solicitor General.*

AUGUST 1970.